

STATE OF CONNECTICUT

DEPARTMENT OF CONSUMER PROTECTION

IN THE MATTER OF

7-Eleven

Afzal M. Chaudhary, Applicant

Afzal M. Chaudhary and

7-Eleven Inc., Backer

Docket No. 07-1084

July 10, 2007

MEMORANDUM OF DECISION

This matter involves an application for a grocery beer permit for 7-Eleven, 188 Davis Street, Oakville, Connecticut. A formal administrative hearing was held before the Liquor Control Commission on July 5, 2007. Afzal M. Chaudhary, applicant and part backer, did not appear at the hearing. James MacFarlane, Field Consultant for the backer corporation, appeared on behalf of the part backer, 7-Eleven, Inc. The hearing was held on a question of Sec.30-39(e) Connecticut General Statutes concerning late renewal and to determine whether the premises qualifies as a "grocery store" in accordance with Section 30-20(c), Connecticut General Statutes.

Based upon the evidence adduced at the hearing, the following facts are found. The backer, 7-Eleven, Inc., prepared a Breakdown of Sales form for the period May 1 through May 31, 2007, showing total sales of \$93,438.15. Of this figure, \$70,253.75 shown on Line 10 was for sales of items which are considered non-edible items, such as tobacco, health/beauty aids, paper products, magazines and newspapers. Sales of dairy products, fruits and vegetables and

grocery items comprised only \$9,207.43 of total sales. Therefore, this 7-Eleven store cannot be found to be primarily engaged in the sale of groceries, and does not operate as a grocery store within the meaning of Sec. 30-20(c), Connecticut General Statutes.

Based upon the testimony and documents submitted at the hearing, the Department of Consumer Protection **ORDERS** your application for a grocery store beer permit **DENIED** for failure to comply with the requirements set forth in Sec. 30-20(c).

**DEPARTMENT OF CONSUMER PROTECTION  
BY:**

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Elisa A. Nahas, Esq.  
Presiding Officer

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Gary Berner, Commissioner  
Commissioner

Parties:

Afzal M. Chaudhary, Applicant  
7-Eleven Store 11491-G  
188 Davis Street  
Oakville, CT 067079

Non-Parties:

Director John Suchy, Liquor Control Division  
Connecticut Beverage Journal  
Connecticut State Library, 231 Capitol Avenue, Hartford, CT 06106

